

### **Remarks**

This paper responds to a non-final Official Action mailed May 21, 2004. Claims 1, 3-18, 30-32 and 34 are pending, claims 1, 6, 11, 30, and 31 are cancelled, and claims 3-5, 7-10, 12-14, 17 and 32 are amended. In view of the foregoing amendments, as well as the following remarks, Applicant respectfully submits that the application is in complete condition for allowance and requests reconsideration of the application in this regard.

### **Objection to the Claims**

Claims 1, 3-8, 30-32 and 34 stand objected to as indefinite. Applicant has amended the claims to address the specific informality noted by the Examiner. Applicant therefore requests that these objections to the claims be withdrawn.

### **Rejection of Claims under § 103(a)**

Claims 1, 3-6, 8, 9, 30 and 31 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 3,200,665 (Wells) in view of U.S. Patent No. 4,603,997 (Hundt et al.). Claim 7 stands rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 3,200,665 (Wells). Of these claims, the only independent claims 1 and 30 are cancelled, claim 31 is cancelled, and the dependent claims formerly depending from claim 1 are now dependent upon independent claim 32 or cancelled. For at least these reasons, Applicant respectfully requests that this rejection be withdrawn.

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 4,603,997 (Hundt et al.). Claim 16 depends from independent claim 10, which is patentable for the reasons indicated below.

**Rejection of Claims Under 35 U.S.C. § 102(b)**

Claims 10-15, 17, 18, 32 and 34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hundt et al. Of these claims, claim 11 has been cancelled and claims 10 and 32 are the only independent claims. The Examiner contends that Hundt shows all the elements of the rejected claim. Applicant respectfully disagrees for the reasons set forth below.

Independent claim 10 recites an annular polymer body having a radially-extending annular wall with opposed annular surfaces, an inner edge connecting the opposed annular surfaces to define a central bore, and a plurality of service ports extending through the radially-extending wall between the opposed annular surfaces. Claim 10 further recites an insert disposed in the central bore radially inward from the inner edge of the polymer body. The insert includes a plurality of support flanges projecting radially outward into the polymer body. Adjacent ones of the support flanges having an angular spacing about a circumference of the insert. The insert has a rotational axis when mounted to the rotatable shaft. Each of the support flanges is substantially aligned with a corresponding one of the service ports along one of a plurality of radial lines extending from the rotational axis. In addition, each of the service ports is positioned radially outward along one of the radial lines from a corresponding one of the support flanges.

Specifically, Hundt discloses multiple support flanges (40) that extend radially outwardly from an insert (36) into a polymer body (14) and that the polymer body (14) includes service ports (34). However, Hundt does not disclose that each of the service ports (34) is positioned radially outward along a radial line from a corresponding one of the support flanges (40). Instead, the support flanges (40) in Hundt clearly extend radially outward of the service ports (34) and have openings (20) operating as bushings (15; 42; 52; 62; 72) registered with the

service ports (34) for reinforcing the service ports (34). This arrangement of the service ports (34) and support flanges (40) is required because the damper (10) in Hundt is mounted by bolts extending through the concentric bushings and service ports (34) to a rotatable shaft. The bushings (15; 42; 52; 62; 72) in the support flanges (40) are required so that the bolts do not affect the plastic material of polymer body (14). See Hundt at column 3, lines 37-41. Moreover, Hundt does not disclose that the insert (36) is disposed in the central bore of polymer body (14) radially inward from an inner edge of the polymer body (14), as recited by Applicant's independent claim 10. Instead, the insert (36) identified by the Examiner in Hundt is disposed inside of the polymer body (14).

In order for a reference to anticipate the invention in a claim, the reference must teach each and every element in the precise arrangement set forth in the claim. If the reference fails to teach even one of the claimed elements, the reference does not and cannot anticipate the claimed invention. Because Hundt fails to disclose the recited arrangement of the support flanges and the service ports and the recited arrangement of the polymer body and the insert, Hundt does not anticipate independent claim 10. For at least these reasons, Applicant respectfully requests that this rejection be withdrawn.

Because claims 12-18 depend from independent claim 10, Applicant submits that these claims are also patentable for at least the same reasons discussed above. Furthermore, these claims recite unique combinations of elements not taught, disclosed or suggested by the references of record.

Independent claim 32 is patentable for at least the same or similar reasons as independent claim 10. Because claims 3-5, 7-9 and 34 depend from independent claim 32, Applicant submits that these claims are also patentable for at least the same reasons discussed

above. Furthermore, these claims recite unique combinations of elements not taught, disclosed or suggested by Hundt.

### CONCLUSION

Applicant has made a bona fide effort to respond to each and every requirement set forth in the Office Action. Accordingly, Applicant respectfully submits that this application is in complete condition for allowance and requests reconsideration of the application in this regard. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicant does not believe fees are due in connection with filing this communication. If, however, additional fees are necessary as a result of this communication, the Commissioner is hereby authorized to charge any under-payment or fees associated with this communication or credit any over-payment to Deposit Account No. 23-3000.

Respectfully submitted,  
WOOD, HERRON & EVANS, L.L.P.

By: William R. Allen  
William R. Allen, Ph.D.  
Reg. No. 48,389

2700 Carew Tower  
Cincinnati, Ohio 45202  
(513) 241-2324